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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,572	12/20/2001	Martii Tuulos	P 290483	5011

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EXAMINER	
NGUYEN, DAVID Q	

ART UNIT	PAPER NUMBER
2681	

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/018,572	TUULOS, MARTII	
	Examiner	Art Unit	
	David Q Nguyen	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 October 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7 and 9* is/are rejected.

7)☒ Claim(s) *8* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/06/04 have been fully considered but they are not persuasive.

In response to applicant's Remarks, applicants ague: "Finally, Schlasberg fails to disclose, teach or suggest a mobile station comprising "means for receiving an authorization signal, indicating a point of time allowed for transmitting an identification request signal, transmitted by the base station over the radio path, means which, in response to measures carried out by the mobile station's user via the user interface, read identification data from an object's identification means, said means for reading the identification data are composed of the mobile station radio transmitter, which at the point of time indicated by the authorization signal transmits a predetermined identification request signal to said identification means, an of the mobile station's radio receiver or of an infrared receiver, which receives an identification signal comprising the identification data from said identification means, and the mobile station comprises means for transmitting the read identification data with the radio transmitter to said base station."

Examiner respectfully disagrees because Schlasberg clearly discloses means for receiving an authorization signal, indicating a point of time allowed for transmitting an identification request signal, transmitted by the base station over the radio path, means which, in response to measures carried out by the mobile station's user via the user interface, read identification data from an object's identification means, said means for reading the identification data are composed of the mobile station radio transmitter, which at the point of time indicated by the

authorization signal transmits a predetermined identification request signal to said identification means, an of the mobile station's radio receiver or of an infrared receiver, which receives an identification signal comprising the identification data from said identification means, and the mobile station comprises means for transmitting the read identification data with the radio transmitter to said base station (please see fig. 1 and it description; page 4, lines 30-35 and page 8, line 24 to page 9, line 11; page 6, line 5 to page 7, line 7 and page 10, lines 7-18; page 6, lines 5-22 and page 10, lines 7-18; page 18, line 1 to page 19, line 22).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Schlasberg (WO 99/17230).

Regarding claim 1, Schlasberg discloses a method of identifying an object having an identification means, comprising receiving at a mobile station an authorization signal indicating a point of time allowed for transmission of an identification request signal (see fig. 1 and its description and page 4, lines 30-35 and page 8, line 24 to page 9, line 11); reading the object's identification data from the identification means by transmitting said identification request signal by the mobile station's radio transmitter to said identification means at a point of time indicated by said authorization signal (see fig. 1 and it description and page 18, line 1 to page 19, line 22),

and receiving an identification signal by the mobile station's radio receiver or by the mobile station's infrared receiver from said identification means (see fig. 1 and its description and page 6, line 5 to page 7, line 7 and page 10, lines 7-18), and identifying said object on the basis of the identification data included in the identification signal (see fig. 1 and its description and page 6, lines 5-22 and page 10, lines 7-18).

Regarding claim 2, Schlasberg also discloses transmitting the identification data read by the mobile station with the mobile station's radio transmitter via a base station in a mobile communication system to a data processing device in which data relating to said object is stored (see abstract and fig. 1), identifying said object by comparing the data stored in data processing device with said identification data (see page 6, line 5 to page 7, line 30 and page 10, lines 7-18).

Regarding claim 9, Schlasberg discloses a mobile station comprising a user interface (see fig. 1 and abstract), and a radio transmitter and a radio receiver for setting up a connection to a base station in a mobile communication system via radio signals (see abstract and fig. 1), means for receiving an authorization signal, indicating a point of time allowed for transmitting an identification request signal, transmitted by the base station over the radio path (see fig. 1 and its description); means which, in response to measures carried out by the mobile station's user via the user interface, read identification data from an object's identification means, said means for reading the identification data are composed of the mobile station's radio transmitter, which at the point of time indicated by the authorization signal transmits a predetermined identification request signal to said identification means, an of the mobile station's radio receiver or of an infrared receiver, which receives an identification signal comprising the identification data from said identification means (see explanation in claims 1 and 3), and the mobile station comprises

means for transmitting the read identification data with said radio transmitter to said base station (see explanation in claims 1 and 3)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlasberg (WO 99/17230).

Regarding claim 3, Schlasberg discloses a system comprising a base station (see fig. 1); a mobile station comprising a radio transmitter and a receiver for setting up a connection to the base station (see fig. 1 and abstract); an object comprising an identification means composed of a tag comprising means for generating an identification signal including identification data in response to a predetermined identification request signal (see fig. 1 and abstract); a data processing device in which data relating to said object is maintained (see fig. 1 and abstract), control means for generating and transmitting an authorization signal indicating a point of time allowed for transmitting an identification request signal (see page 4, lines 30-35 and page 8, line 24 to page 9, line 11), and a mobile station comprising a radio transmitter and a radio receiver for setting up a connection to the base station (see fig. 1 and abstract); means for reading said object's identification data from the identification means (see fig. 1 and abstract): by transmitting

an identification request signal with the mobile stations radio transmitter to said identification means at a point of time indicated by authorization signal (see explanation in claim 1), and by receiving from said identification means the identification data included in an identification signal with the mobile stations radio receiver or with an infrared receiver (see explanation in claim 1); and means for transmitting the read identification data with the mobile station's radio transmitter over the radio path via the base station further to said data processing device (see explanation in claim 1).

Schlasberg does not mention the system comprising a mobile switching center (MSC) and the mobile station connecting to the mobile switching center via the base station. However, official notice taken that a mobile wireless system comprising a MSC and the mobile station connecting to the mobile switching center via the base station is well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching to Schlasberg's system in order to enables the information provider to customize the information and the information seeker to receive tailored information, thus enabling user integrity control.

Regarding claim 4, Schlasberg also discloses wherein said tag is a passive tag comprising means for recovering energy from said identification request signal and means for generating said identification signal with said recovered energy (see fig. 1 and abstract).

Regarding claim 5, Schlasberg also discloses wherein said tag comprising means for generating an RF frequency identification signal (see fig. 1 and abstract).

Regarding claim 6, Schlasberg also discloses wherein said tag comprising means for generating an identification signal composed of an infrared signal (see fig. 1 and abstract and page 23, lines 13-14).

Regarding claim 7, Schlasberg also discloses wherein said control means are arranged to generate and transmit said authorization signal in response to an inquiry signal received by the control means (see page 4, lines 30-35 and page 8, line 24 to page 9, line 11); and said mobile station comprises means for transmitting the inquiry signal to said control means (see page 4, lines 30-35 and page 8, line 24 to page 9, line 11).

Allowable Subject Matter

4. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 8, Schlasberg does not disclose wherein said system is a time division mobile communication system, in which the frequency channels used by the system are divided into timeslots, said control means are arranged to generate and transmit an authorization signal indicating the timeslot or timeslots allowed for the transmission of the identification request signal, and said mobile station comprises means for receiving the authorization signal from the control means and for transmitting the identification request signal in the timeslot indicated by the authorization signal, as specified in claim 8 and mentioned in the previous office action (paper No. 7).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Nguyen whose telephone number is 703-605-4254. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN

David Nguyen

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